

# PRESIDENTIAL PREFERENCE PRIMARY

## STATE OF LOUISIANA QUALIFYING INFORMATION FOR PRESIDENTIAL NOMINEE CANDIDATES

**March 5, 2016**

Candidates for presidential nominee of a recognized political party in Louisiana (which has forty thousand or more registered members) must file the following materials with the Louisiana Secretary of State's office any time from 8:00 a.m. on December 2, 2015 through 4:30 p.m. on December 4, 2015 (La R.S. 18:1280.21)( La R.S. 18:1280.22):

1. **Notice of Candidacy** - (QF-42 PPP Rev. 07/15) used by candidates for presidential nominee in the Presidential Preference Primary election. (Form is included in this packet)
2. **A Qualifying Fee OR a Nominating Petition**
  - A. **A Qualifying Fee** of \$750.00 and any additional fee imposed by political party state central committees (\$375 for Republican and Democratic parties) (total \$1,125.00). The fees shall be paid in cash, by certified or cashier's check drawn on a state or national bank or credit union, by U. S. postal money order, or by a money order issued by a state or national bank or credit union (La R.S. 18:1280.22(A) and La R.S. 18:464(C)).

***NOTE:** Please make checks and money orders payable to: Louisiana Department of State.*
  - B. **Nominating Petitions** must contain 6,000 signatures, with at least 1,000 signatures from registered voters affiliated with the party from each of the 6 congressional districts (La R.S. 18:1280.22(A)). Nominating petitions are available upon request.
    - First day to begin obtaining signatures on nominating petition is August 4, 2015 (La R.S. 18:465(B)).
    - Last day to submit nominating petition for certification to registrar of voters in each parish is November 4, 2015. (La R.S. 18:465(E)(1)(a)) and La R.S. 18:1280.22(B)(3)(d)).

Secretary of State, Elections-Balloting Division

**Attention: Erin Delany**

P. O. Box 94125, Baton Rouge, LA 70804-9125

-or- by hand delivery to

8585 Archives Ave., Baton Rouge, LA 70809

Telephone No.: 225-922-0900

# STATE OF LOUISIANA -- NOTICE OF CANDIDACY

(For use by candidates for Presidential Nominee, Presidential Preference Primary Election)

This Notice of Candidacy must be executed before a notary public. If the candidate is serving outside the state with the armed forces of the United States, the Notice of Candidacy shall be witnessed by a commissioned officer in the armed forces of the United States. This Notice of Candidacy must be filed with the Louisiana Secretary of State during the period beginning the first Wednesday in December and ending at 4:30 p.m. on the following Friday.

State of (where executed) \_\_\_\_\_ Parish or County of (where executed) \_\_\_\_\_

I hereby certify that:

1. I will be a candidate in the (choose one) \_\_\_\_\_ Democratic \_\_\_\_\_ Republican  
Presidential Preference Primary Election to be held \_\_\_\_\_, 20\_\_\_\_.
2. I am affiliated with the (choose one) \_\_\_\_\_ Democratic Party \_\_\_\_\_ Republican Party.
3. My name is \_\_\_\_\_  
(Name of Candidate)
4. My domicile address is \_\_\_\_\_  
(Domicile Address of Candidate – include street address, city, state, and zip code)
5. My mailing address is \_\_\_\_\_  
(Mailing Address of Candidate – include street address, city, state, and zip code)
6. My telephone number is (\_\_\_\_\_) \_\_\_\_\_.
7. I designate that my name be placed on the ballot as follows:

**NOTE: R.S.18:1280.22 provides that you may designate your given, first and middle name, the initials of your given, first and middle name, a nickname, or any combination thereof, but you cannot designate a title, designation, or deceptive name. You cannot designate an occupational or professional description or abbreviation. If your nickname is included, it must be set off with quotation marks and must be placed immediately preceding your surname. You must include your surname in your designation.**

8. Check appropriate blank:

\_\_\_\_\_ I attach a qualifying fee of \$\_\_\_\_\_ and an additional fee of \$\_\_\_\_\_ for a total of \$\_\_\_\_\_.  
(The fee shall be paid in cash, by one certified or cashier's check drawn on a state or national bank or credit union, by one United States Postal money order, or by one money order issued by a state or national bank or credit union.)

**-OR-**

\_\_\_\_\_ I attach nominating petitions bearing the signatures of no less than 6,000 registered voters, at least 1,000 of which are from each congressional district in the state, who are affiliated with the  
\_\_\_\_\_ Democratic Party \_\_\_\_\_ Republican Party.

9. I have read this Notice of Candidacy and all the statements contained in it are true and correct.

Signature of Candidate  X

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

Excerpts from

## Louisiana Election Code

Title 18 of the Louisiana Revised Statutes

La R.S. 18:465 and La R.S. 18:1280.21 -La R.S. 18:1280.27

As Amended through the 2014 Regular Session

fee, and the political party with which the candidate is affiliated. After the close of the qualifying period for a candidate in a primary election, the official who collected the additional fees shall immediately transmit all additional fees so collected to the parish executive committee on which the candidate is seeking membership. The fee so imposed and collected shall be retained and used by the parish executive committee imposing the fee.

E. Clerks' fees. Each clerk of court may retain from the qualifying fees of each local and municipal candidate and each candidate for membership on a political party committee a fee of not more than ten percent, but not less than ten dollars, which shall be retained by the clerk and used by him to cover his office expenses for filing and recording the candidate's qualifying papers. However, the sums retained by the clerk of court shall be retained only from those qualifying fees that are remitted to the secretary of state.

F. Financial statements. Each state central committee and each parish executive committee shall file a financial statement annually, certified by the treasurer or, if none, by the chairman, as to its accuracy, with the legislative auditor. Each parish executive committee shall file a copy of the financial statement with the state central committee of the party with which it is affiliated. The financial statement shall be in a form approved by the legislative auditor.

G. Use of fees. Fees collected by state central committees and parish executive committees pursuant to this Section shall be used solely for the operation of such committees. No such fees shall be used for the direct benefit of any particular candidate for public office.

H. Notice of imposition of fees. Each state central committee and parish executive committee shall, no later than thirty days prior to the beginning of qualifying, notify, in writing, the secretary of state and the clerk of court of any parish affected, if said committee will impose additional qualifying fees on candidates. However, once the notice of imposition is filed in accordance with this Subsection, a notice need not be filed again unless the state central committee or parish executive committee discontinues such imposition or changes the amount of fees to be imposed.

*Acts 1976, No. 697, §1, eff. Jan. 1, 1978. Amended by Acts 1978, No. 292, §1, eff. July 6, 1978; Acts 1979, No. 229, §1, eff. July 13, 1979; Acts 1982, No. 531, §1, eff. July 22, 1982; Acts 1983, No. 519, §1, eff. July 8, 1983; Acts 1984, No. 672, §1; Acts 1985, No. 123, §1; Acts 1986, No. 669, §1; Acts 1987, No. 831, §1, eff. Jan. 1, 1988; Acts 1988, No. 235, §1; Acts 1989, No. 652, §1; Acts 1991, 1st E.S., No. 1, §1, eff. Sept. 1, 1991; Acts 1992, No. 596, §1; Acts 1992, No. 944, §1; Acts 1992, No. 949, §1, eff. Jan. 1, 1993; Acts 1997, No. 469, §1; Acts 2003, No. 910, §1, eff. July 1, 2003; Acts 2004, No. 526, §1, eff. Jan. 1, 2005; Acts 2004, No. 604, §1, eff. Jan. 1, 2005.*

**NOTE:** *See Acts 1989, No. 652, §2, relative to disposition of funds from fees.*

#### **§465. Nominating petitions**

A. Time and place of filing. A nominating petition shall be filed with the official with whom the candidate qualifies and shall accompany the notice of candidacy.

B. Method of nominating candidates. A person may only be nominated as a candidate in a primary election by persons who are registered to vote on the office he seeks who sign a nominating petition for him no more than one hundred twenty days before the qualifying period opens for candidates in the primary election. In addition to his signature, each voter who signs a nominating petition shall date his signature and shall provide the ward and precinct in which he is registered to vote, his residence address, including the municipal number, the apartment number, if any, the rural route and box number, or any other physical description that will identify his actual place of residence. Once a voter has signed a nominating petition, he may not withdraw the nomination. The secretary of state shall prepare forms which may be used by any person who seeks nomination as a candidate by nominating petition. The secretary of state shall furnish copies of the forms to each clerk of court, and the forms shall be available, upon request, at the office of the secretary of state or at the office of the clerk of court. Nothing in this Subsection shall be construed to require nominating petitions to be filed only on forms prepared by the secretary of state.

C. Number of signatures required. The number of qualified voters who must timely sign a nominating petition is:

(1) For a candidate for an office voted on throughout the state--five thousand, not less than five hundred of which shall be from each of the congressional districts into which the state is divided.

(2) For a candidate for membership on the Public Service Commission--one thousand from within that district.

(3) For a candidate for any of the following offices:

(a) Louisiana Supreme Court Justice--one thousand from within that district.

(b) United States Representatives in Congress--one thousand from within that district.

(c) Member of the State Board of Elementary and Secondary Education--one thousand from within that district.

(d) Judge of a court of appeal--five hundred from within that district.

(e) Any officer elected from throughout a judicial district--five hundred from within the district.

(f) Louisiana Senate--five hundred from within the senatorial district.

(g) Louisiana House of Representatives--four hundred from within the representative district.

(h) Any officer elected from throughout a parish--four hundred.

(i) Any officer elected from throughout a ward--one hundred for member of a parish governing authority and for member of a parish or city school board and one hundred for any other.

(4) For a candidate for a municipal office--fifty in a municipality having a population of five thousand or less, two hundred in a municipality having a population of more than five thousand but less than twenty-five thousand, three hundred in a municipality having a population of twenty-five thousand or more but less than fifty thousand, five hundred in a municipality having a population of fifty thousand or more but less than one hundred thousand, seven hundred fifty in a municipality having a population of one hundred thousand or more but less than three hundred thousand, and one thousand in a municipality having a population of three hundred thousand or more.

(5) For a candidate for membership on a political party committee - the lesser of four hundred or ten percent of the qualified voters in the voting area who are registered as being affiliated with the same political party as the candidate.

(6) Any office not hereinabove provided for shall require the signatures of at least one-half of one percent of the registered voters in the voting area from which the officer is elected. The number of signatures of registered voters required shall be calculated based on the number of voters who are registered thirty days before the qualifying period ends.

(7) Notwithstanding any provision of this Section to the contrary, if qualifying for any public office is reopened pursuant to R.S. 18:469(A) after the death of a candidate - twenty-five in the area from which the public officer is elected.

D. Form. Each sheet of the nominating petition shall set forth the candidate's name, the address of his domicile, the office for which the signers nominate him, the political party with which he is affiliated, if any, and the date of the primary election for which he seeks to qualify. The name of each voter who signed the nominating petition shall be typed or legibly written on the petition, and each signature on the nominating petition shall be dated and witnessed by the candidate or the person who obtained the signature on his behalf. The candidate and all persons who obtained signatures on his behalf shall certify on the nominating petition that to the best of their knowledge, information, and belief all of the signatures on the nominating petition are genuine and all of the statements contained in the nominating petition are true and correct.

E. Certification. (1)(a) A nominating petition shall be submitted to the registrars of voters in the parishes where the signers reside. A nominating petition shall be submitted to the registrars in such parishes not less than thirty days before the qualifying period ends for candidates in the primary election or, in the case of presidential electors, in the presidential election, except that in a special election called pursuant to R.S. 18:402(E), 601(A)(2), or 1279, a nominating petition shall be submitted by the candidate to the registrars of voters in such parishes not less than fourteen days before the qualifying period ends for candidates in the special election. If the final day for submitting a nominating petition to the registrars of voters falls on a Saturday, Sunday, or legal holiday, then the next day which is not a Saturday, Sunday, or legal holiday shall be deemed to be the final day for submitting the nominating petition.

(b) In the case of an election for which qualifying has been reopened pursuant to R.S. 18:469(A) after the death of a candidate, the nominating petition shall be submitted by the candidate during such qualifying period to the registrars of voters in the parishes where the signers reside.

(2) The registrar for each parish shall endorse upon the nominating petitions, whether original or supplemental, the date and time of submission and shall promptly certify the nominating petitions, in the order received, by determining and certifying on each nominating petition which of the signers who provided a residence address in the parish signed the nominating petition timely and are registered to vote on the office the candidate seeks. A supplemental nominating petition shall be certified in the order in which it is received, without regard to the time when the original nominating petition for that candidate was submitted. A registrar may stop certifying the signatures on a nominating petition when the total number of the signers he has certified as having signed the petition timely and as being registered to vote on the office the candidate seeks equals one hundred fifteen percent of the number of qualified voters required to nominate the candidate for the office he seeks. A registrar's certification shall be conclusive as to the number of qualified voters who timely signed a nominating petition, and evidence to the contrary shall not be admitted in an action objecting to the candidacy of the candidate who filed the nominating petition.

*Acts 1976, No. 697, §1, eff. Jan. 1, 1978. Amended by Acts 1977, No. 523, §1, eff. Jan. 1, 1978; Acts 1978, No. 292, §1, eff. July 6, 1978; Acts 1979, No. 229, §1, eff. July 13, 1979; Acts 1988, No. 909, §1, eff. Jan. 1, 1989; Acts 2008, No. 522, §1, eff. July 1, 2008; Acts 2009, No. 369, §1; Acts 2012, No. 138, §1, eff. May 14, 2012; Acts 2013, No. 383, §1, eff. June 18, 2013; Acts 2014, No. 60, §1, eff. May 16, 2014.*

#### **§466. Time for qualifying in a primary election**

A notice of candidacy, accompanied either by the qualifying fee or by a nominating petition, is filed timely only if received by the secretary of state, for state candidates, or by the clerk of court, for local or municipal candidates, during the qualifying period for candidates in the primary election.

*Acts 1976, No. 697, §1, eff. Jan. 1, 1978. Amended by Acts 1979, No. 229, §1, eff. July 13, 1979.*

#### **§467. Opening of qualifying period**

The qualifying period for candidates in a primary election shall open:

(1) For candidates in a gubernatorial primary election and those in any special primary election to be held at the same time, on the first Tuesday after the first Monday in September of the year of the election.

(2) For candidates in a congressional primary election and those in any special primary election to be held at the same time, on the third Wednesday in August of the year of the election.

(3) For candidates in a primary election for municipal and ward officers who are not elected at the same time as the governor or members of congress in municipalities with a population of less than three hundred thousand and those in any special primary election to be held at the same time, on the second Wednesday in February of the year of the election, unless the primary election is held on the third

Saturday after the first Tuesday in March; in such case the qualifying period for candidates in such primary election shall open on the first Wednesday in December of the year prior to the election.

**NOTE:** *Paragraph (4) eff. until Jan. 1, 2015. See Acts 2013, No. 95, §1.*

(4) For candidates in a primary election for parochial and municipal officers in a parish containing a municipality with a population of three hundred thousand or more and in which the municipal and parochial elections are held at the same time, on the second Wednesday in December preceding the year of the election.

**NOTE:** *Paragraph (4) as amended by Acts 2013, No. 95, §1, eff. Jan. 1, 2015.*

(4) For candidates in a primary election for parochial and municipal officers in a parish containing a municipality with a population of three hundred thousand or more and in which the municipal and parochial elections are held at the same time, on the second Wednesday in August in the year of the election.

(5) For candidates in any other special primary election, except for the office of judge, state legislator, or representative in Congress, on the first Wednesday which is at least five days after publication of the proclamation ordering the special election.

(6) For candidates in a primary election held on the third Saturday in October of 1981 and every fourth year thereafter, on the second Wednesday in August of the year of the election.

*Acts 1976, No. 697, §1, eff. Jan. 1, 1978. Amended by Acts 1977, No. 545, §1, eff. Jan. 1, 1978; Acts 1978, No. 720, §1; Acts 1979, No. 229, §1, eff. July 13, 1979; Acts 1982, No. 10, §1, eff. Jan. 1, 1983; Acts 1984, No. 673, §1, eff. Jan. 1, 1985; Acts 1987, No. 831, §1, eff. Jan. 1, 1988; Acts 1990, No. 107, §1, eff. Jan. 1, 1991; Acts 1991, No. 277, §1; Acts 1992, No. 949, §1, eff. Jan. 1, 1993; Acts 1995, No. 1114, §1; Acts 1997, No. 1420, §1, eff. Jan. 1, 1998; Acts 2006, No. 560, §1, eff. Jan. 1, 2007; Acts 2006, No. 845, §1, eff. Jan. 1, 2007; Acts 2007, No. 240, §1; Acts 2010, No. 570, §1, eff. Jan. 1, 2011; Acts 2011, 1<sup>st</sup> Ex. Sess., No. 22, §1; Acts 2011, No. 293, §1; Acts 2013, No. 95, §1, eff. Jan. 1, 2015.*

#### **§467.1. Opening of qualifying period in event of change of date for primary election**

In the event that the date for the primary election is advanced in accordance with R.S. 18:402(G), the qualifying period for candidates in the primary election shall be advanced from the date specified in R.S. 18:467 the same number of weeks as the primary election.

*Added by Acts 1980, No. 43, §2, eff. June 5, 1980. Acts 1984, No. 673, §1, eff. Jan. 1, 1985; Acts 1991, No. 201, §2, eff. Jan. 1, 1992.*

#### **§468. Close of the qualifying period**

A. The qualifying period for candidates in a primary election shall close at 4:30 p.m. on the Friday after the opening of the qualifying period for candidates in the primary election or, if that Friday is a legal holiday, at 4:30 p.m. on the next day which is not a legal holiday.

B. Notwithstanding the provisions of Subsection A of this Section, the qualifying period for candidates in a gubernatorial primary election and those in any special primary election to be held at the same time shall close at 4:30 p.m. on the Thursday after the opening of the qualifying period.

*Acts 1976, No. 697, §1, eff. Jan. 1, 1978; Acts 1992, No. 949, §1, eff. Jan. 1, 1993; Acts 2006, No. 560, §1, eff. Jan. 1, 2007; Acts 2010, No. 570, §1, eff. Jan. 1, 2011; Acts 2013, No. 383, §1, eff. June 18, 2013.*

#### **§469. Reopening of qualifying period; effect**

A. When a person who qualified as a candidate and has opposition in a primary election for a public office dies after the close of the qualifying period and before the time for closing the polls on the day of the primary election, the qualifying period for candidates in the primary election for that office shall

C. If a vacancy occurs in the office of United States senator and the unexpired term is one year or less, no special election shall be called by the governor and, if a senator is appointed to fill the vacancy, he shall serve for the remainder of the unexpired term, and his successor shall be elected at the next regular election for United States senator.

*Acts 1976, No. 697, §1, eff. Jan. 1, 1978. Amended by Acts 1978, No. 38, §1, eff. May 31, 1978; Acts 1980, No. 792, §1, eff. Jan. 1, 1981; Acts 1981, No. 76, §1, eff. June 26, 1981; Acts 1997, No. 1420, §1, eff. Jan. 1, 1998; Acts 2006, No. 560, §1, eff. Jan. 1, 2007; Acts 2007, No. 240, §1; Acts 2010, No. 570, §1, eff. Jan. 1, 2011.*

### **§1279. Vacancies; representatives in congress**

When a vacancy occurs in the office of representative in congress, the governor shall determine the dates on which the special elections shall be held and the dates of the qualifying period and shall issue a proclamation ordering a special election and specifying the dates on which the primary and general elections will be held and the dates of the qualifying period for the election. Immediately thereafter he shall publish the proclamation in the official journal of each parish in which the election is to be held. Within twenty-four hours after issuing the proclamation, the governor shall send a copy of the proclamation to the secretary of state, who shall within twenty-four hours of receipt of the information notify all election officials having any duty to perform in connection with a special election to fill such vacancy, including the parish boards of election supervisors for the parish or parishes in which the vacancy occurred. The election shall be conducted in the same manner and at the same places and the returns shall be certified as in regular congressional elections. If at a primary or general election in a congressional district one representative in congress is to be elected for a full term and another to fill a vacancy, the ballots containing the names of the candidates shall, as a part of the title of the office, designate the term for which the candidates are respectively nominated.

*Acts 1976, No. 697, §1, eff. Jan. 1, 1978. Amended by Acts 1977, No. 545, §1, eff. Jan. 1, 1978; Acts 1980, No. 792, §1, eff. Jan. 1, 1981; Acts 1981, No. 76, §1, eff. June 26, 1981; Acts 1997, No. 1420, §1, eff. Jan. 1, 1998; Acts 2006, No. 560, §1, eff. Jan. 1, 2007; Acts 2007, No. 240, §1; Acts 2010, No. 570, §1, eff. Jan. 1, 2011.*

### **§1280. Contests**

Except as may be otherwise provided by the constitution and laws of the United States, contests of elections under this Part shall be made as provided in this Title for state candidates.

*Acts 1976, No. 697, §1, eff. Jan. 1, 1978.*

## **PART III. PRESIDENTIAL PREFERENCE PRIMARY**

### **§1280.21. Presidential preference primary election**

A. A statewide presidential preference primary election shall be held on the first Saturday in March in 2016 and every fourth year thereafter for the purpose of allowing the electors of each political party in the state which has forty thousand or more registered members to express their preference for a person to be the nominee of the party for president of the United States.

B. Each elector voting in such election may vote only for a candidate who is affiliated with the same party as the elector, except that the state central committee of a recognized political party may allow in its bylaws, electors who are not affiliated with any political party to cast a vote on the ballot of such recognized political party.

C. The state central committee shall notify the Department of State that its bylaws allow for such voting by non-affiliated electors no later than seven days prior to the opening of qualifying for the presidential preference primary. Such notification shall be considered valid and effective for subsequent presidential preference primaries unless the state central committee notifies the Department of State that

its bylaws no longer allow for such voting by non-affiliated electors no later than seven days prior to the opening of qualifying for a presidential preference primary.

D. Any elector who is not affiliated with any political party and who is allowed to cast his vote on the ballot of a recognized political party in the presidential preference primary pursuant to this Section shall cast his vote on the ballot of only one recognized political party.

E. Notwithstanding any provisions of this Code to the contrary, in any statewide presidential preference primary election, at any precinct where the presidential preference issue or election of political party officials or both are the only matters on the ballot, the number of election commissioners required in such precinct shall be one commissioner-in-charge and two commissioners.

*Added by Acts 1979, No. 684, §1, eff. Dec. 1, 1979; S.C.R. No. 4, 1983 2nd Ex. Sess.; Acts 1986, No. 35, §1, eff. June 17, 1986; Acts 1986, No. 427, §1; Acts 2004, No. 678, §1; Acts 2006, No. 845, §1, eff. Jan. 1, 2007; Acts 2011, No. 293, §1; Acts 2014, No. 792, §1.*

### **§1280.22. Candidates; procedure for qualifying**

A. Candidates for presidential nominee shall qualify in accordance with procedures established by the party. Prior to qualification as a candidate of a political party for presidential nominee, a person shall pay a qualifying fee of seven hundred fifty dollars and any additional fee as authorized by R.S. 18:464(C) or shall have obtained a nominating petition, bearing the handwritten signatures of no less than one thousand registered voters affiliated with the party from each of the congressional districts into which the state is divided. If the candidate is qualifying by paying a fee, the fee shall be paid in cash, by certified or cashier's check drawn on a state or national bank or credit union, by United States postal money order, or by a money order issued by a state or national bank or credit union.

B.(1) The qualifying period for presidential candidates shall open on the first Wednesday in December and shall close at 5:00 p.m. on the following Friday. During the qualifying period, presidential candidates shall file notices of candidacy with the secretary of state.

(2)(a) A notice of candidacy shall be in writing and shall state the candidate's name, the office he seeks, the address of his domicile, and the political party with which he is registered as being affiliated. The political party with which the candidate was affiliated at the time of qualifying is the one which shall appear on the ballot, even if the candidate changes his political party designation after he qualified for the election.

(b) The candidate shall designate in the notice the form in which his name shall be printed on the ballot. The candidate may designate his given, first, and middle name, the initials of his given, first, and middle name, a nickname, or any combination thereof as the form in which his name shall be printed on the ballot. However, he shall not designate a title, designation, or deceptive name, nor shall he designate an occupational or professional description or abbreviation. If the candidate designates a nickname in the place of or in combination with his given name or the initials thereof, the nickname shall be set off with quotation marks and shall be placed immediately preceding his surname. A candidate shall include his surname in his designation of the form in which his name shall be printed on the ballot.

(c) The notice of candidacy also shall include a certificate signed by the candidate, certifying that he has read the notice of his candidacy and that all of the statements contained therein are true and correct. The certificate shall be executed before a notary public. If the candidate is serving outside the state with the armed forces of the United States, his notice of candidacy shall be witnessed by a commissioned officer in the armed forces of the United States.

(d) A notice of candidacy shall be accompanied by the qualifying fee and any additional fee imposed or a nominating petition.

(3)(a) Each sheet of a nominating petition shall set forth the name of the presidential candidate, as it shall appear on the election ballot, the address of the candidate, the political party with which he is affiliated, and the date of the presidential primary.

(b) Each voter who signs a nominating petition shall include his name and residence address.

(c) All persons who obtained signatures shall certify that to the best of their knowledge, information, and belief all of the signatures on the nominating petition are genuine, and all of the statements contained in the petition are true and correct.

(d) A nominating petition shall be submitted to the registrars of voters in the parishes where the signers reside not less than thirty days before the end of the qualifying period.

(e) The registrar for each parish shall endorse upon the nominating petitions, whether original or supplemental, the date and time of submission and shall promptly certify the nominating petitions, in the order received, by determining and certifying on each nominating petition which of the signers are registered to vote in the parish. A registrar may stop certifying the signatures on a nominating petition when the total number of the signers he has certified as having signed the petition timely and as being registered to vote equals fifteen percent more than the number of registered voters required from the congressional district. A registrar's certification shall be conclusive as to number of qualified voters who timely signed a nominating petition, and evidence to the contrary shall not be admitted in an action objecting to the candidacy of a presidential candidate filing the nominating petition.

C. Any person who qualifies as a candidate for presidential nominee may withdraw his candidacy by filing a notice of his withdrawal, that is signed by the candidate, and duly acknowledged before an officer authorized to administer oaths with the secretary of state, who shall note thereon the date it was filed. The withdrawal shall become effective when it is filed with the secretary of state. Once filed as herein provided, a notice of withdrawal shall not be returned to the person withdrawing. The effect of his withdrawal shall be as provided in R.S. 18:502.

*Added by Acts 1979, No. 684, §1, eff. Dec. 1, 1979; S.C.R. No. 4, 1983 2nd Ex. Sess.; Acts 1984, No. 673, §1, eff. Jan. 1, 1985; Acts 1986, No. 35, §1, eff. June 17, 1986; Acts 1986, No. 427, §1; Acts 1987, No. 831, §1, eff. Jan. 1, 1988; Acts 1992, No. 944, §1; Acts 1995, No. 300, §1, eff. June 15, 1995; Acts 1997, No. 1420, §1, eff. Jan. 1, 1998; Acts 2001, No. 1032, §7; Acts 2004, No. 526, §1, eff. Jan. 1, 2005; Acts 2004, No. 604, §1, eff. Jan. 1, 2005; Acts 2006, No. 845, §1, eff. Jan. 1, 2007; Acts 2011, No. 293, §1.*

**NOTE:** *See Acts 2001, No. 1032, §17.*

### **§1280.23. Conduct of election**

Except as otherwise specifically provided in this Part, the election for which provision is made in this Part shall be conducted and the returns thereof published and promulgated as provided in the election laws of the state.

*Added by Acts 1979, No. 684, §1, eff. Dec. 1, 1979.*

### **§1280.24. Arrangement of ballot**

The ballot for the election provided in this Part shall contain the names of each candidate arranged by party affiliation and placed in alphabetical order within each party.

*Added by Acts 1979, No. 684, §1, eff. Dec. 1, 1979; S.C.R. No. 4, 1983 2nd Ex. Sess.; Acts 1986, No. 35, §1, eff. June 17, 1986; Acts 1986, No. 427, §1.*

### **§1280.25. Voting according to party affiliation**

No elector may vote in the election provided in this Part for a candidate affiliated with a party in which the elector is not registered, except as provided in R.S. 18:1280.21.

*Added by Acts 1979, No. 684, §1, eff. Dec. 1, 1979; S.C.R. No. 4, 1983 2nd Ex. Sess.; Acts 1986, No. 35, §1, eff. June 17, 1986; Acts 1986, No. 427, §1; Acts 2004, No. 678, §1.*

### **§1280.26. Repealed by Acts 1983, No. 681, §2, eff. July 21, 1983.**

### **§1280.27. Delegates to political party conventions; selection; oaths; voting; allocation among presidential nominees**

A. Notwithstanding any other provisions of law, at least ninety days prior to a presidential preference primary election, the state governing body of each eligible political party shall establish procedures to be followed in the selection of individual delegates and alternates to the convention of that party, including procedures for the selection of committed and uncommitted delegates. A copy of any rule adopted by the state party committee shall be filed with the secretary of state within seven days after its adoption and shall become public record.

B. Delegates shall be allocated among the presidential candidates according to the results of the presidential primary and according to guidelines established by the governing bodies of the respective parties.

*C. Repealed by Acts 1984, No. 672, §3.*

*Added by Acts 1979, No. 684, §1, eff. Dec. 1, 1979. S.C.R. No. 4, 1983, 2nd Ex. Sess. Acts 1984, No. 672, §1; Acts 1986, No. 35, §1, eff. June 17, 1986; Acts 1986, No. 427, §1.*

## **CHAPTER 6-A. BOND, DEBT, AND TAX ELECTIONS**

### **§1281. Statement of purpose**

The purpose of this Chapter is to implement Article VI, Section 22 of the Louisiana Constitution of 1974 by establishing a uniform procedure for the conduct of elections to authorize the issuance of bonds, the assumption of indebtedness, and the imposition or increase of taxes by political subdivisions. The procedure for elections set forth in this Chapter shall apply to and shall supersede those provisions of the Louisiana Constitution of 1921 which were continued as statutes under authority of Part II of Article XIV of the Louisiana Constitution of 1974 and existing laws of the state of Louisiana, notwithstanding any contrary provisions contained therein. However, nothing contained in this Chapter shall repeal the limitations in effect on January 1, 1975 on the authority of political subdivisions to impose or increase taxes.

*Added by Acts 1977, No. 545, §2, eff. Jan. 1, 1978.*

### **§1282. Political subdivision defined**

For purposes of this Chapter, the term "political subdivision" means a state department, agency, board, or commission; a parish; a municipality; a school board and a school district; a levee board and a levee district; a port board and a port commission; a port, harbor, terminal and industrial district; and any special service district, including but not limited to a road, water, sewerage, fire, protection, recreation, gas utility, or garbage district, and any other board, district, or unit of local government authorized by law to conduct elections for the issuance of bonds, the levying or increasing of any tax, or the assumption of indebtedness.

*Added by Acts 1977, No. 545, §2, eff. Jan. 1, 1978.*

### **§1283. Elections**

A. In every case in which the provisions of the Louisiana Constitution of 1974 as now existing or hereafter amended, or of law, as now existing or hereafter amended or enacted, requires the approval of voters at an election in a political subdivision as a prerequisite to the issuance of bonds, levying or increasing of any tax, or the assumption of indebtedness by said political subdivision, the election shall be held substantially in accordance with the election laws set forth in Title 18 of the Louisiana Revised

# ACT

# 307

ENROLLED

2015 Regular Session

HOUSE BILL NO. 242

BY REPRESENTATIVE TIM BURNS

## AN ACT

To amend and reenact R.S. 18:101(A)(3), 154(A) and (C)(2)(b), 178, 402(C)(2) and (E)(2)(c), 435(A)(Subsection heading) and (1) and (B), 463(A)(2)(c)(i) and (ii), 467(3), 534(B), 536(A)(introductory paragraph) and (3), 551(C)(1), 1280.22(B)(1), and 1306(E)(2), to enact R.S. 18:154(H) and (I), 491(C)(3), and 1308(A)(1)(c), and to repeal R.S. 18:173(A), 402(F)(7), 467(5), and 1306(E)(1)(g), relative to the Louisiana Election Code; to revise the system of laws comprising the Louisiana Election Code; to provide relative to qualifications, requirements, and procedures for voter registration; to provide for the confidentiality of certain information relative to voter registration and voting; to provide for exceptions; to provide for election dates; to repeal certain reporting requirements relative to deaths; to require reports of certain information received through jury questionnaires; to provide relative to watchers; to provide for the content and procedure for submitting lists of watchers; to provide relative to polling places; to provide for a change in the location of a polling place; to authorize certain officials to change the location of a polling place under certain circumstances; to provide for notification of such changes; to provide relative to the appointment of certain persons to direct potential voters to the new location of the polling place; to provide relative to absentee voting by mail; to provide relative to procedures and requirements for voting absentee by mail; to provide relative to the content of absentee by mail voting materials; to provide relative to voting absentee by mail by certain persons who are hospitalized; to provide relative to standing to bring an action objecting to candidacy; to provide relative to listing candidates on the ballot; to provide relative to the qualifying period in certain elections; to provide relative to the notice of candidacy; and to provide for related matters.

**ORIGINATED**

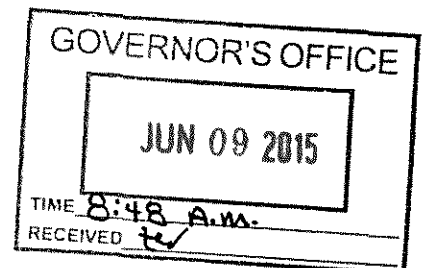
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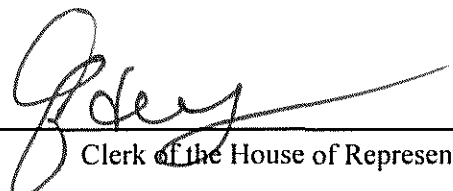
House of Representatives

**RECEIVED**  
BY SECRETARY OF STATE

JUL 01 2015

PUBLICATIONS DIVISION



  
Clerk of the House of Representatives

2015 Regular Session

HOUSE BILL NO. 242

BY REPRESENTATIVE TIM BURNS

## AN ACT

To amend and reenact R.S. 18:101(A)(3), 154(A) and (C)(2)(b), 178, 402(C)(2) and (E)(2)(c), 435(A)(Subsection heading) and (1) and (B), 463(A)(2)(c)(i) and (ii), 467(3), 534(B), 536(A)(introductory paragraph) and (3), 551(C)(1), 1280.22(B)(1), and 1306(E)(2), to enact R.S. 18:154(H) and (I), 491(C)(3), and 1308(A)(1)(c), and to repeal R.S. 18:173(A), 402(F)(7), 467(5), and 1306(E)(1)(g), relative to the Louisiana Election Code; to revise the system of laws comprising the Louisiana Election Code; to provide relative to qualifications, requirements, and procedures for voter registration; to provide for the confidentiality of certain information relative to voter registration and voting; to provide for exceptions; to provide for election dates; to repeal certain reporting requirements relative to deaths; to require reports of certain information received through jury questionnaires; to provide relative to watchers; to provide for the content and procedure for submitting lists of watchers; to provide relative to polling places; to provide for a change in the location of a polling place; to authorize certain officials to change the location of a polling place under certain circumstances; to provide for notification of such changes; to provide relative to the appointment of certain persons to direct potential voters to the new location of the polling place; to provide relative to absentee voting by mail; to provide relative to procedures and requirements for voting absentee by mail; to provide relative to the content of absentee by mail voting materials; to provide relative to voting absentee by mail by certain persons who are hospitalized; to provide relative to standing to bring an action objecting to candidacy; to provide relative to listing candidates on the ballot; to provide relative to the qualifying period in certain elections; to provide relative to the notice of candidacy; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:154(A), 178, 402(C)(2) and (E)(2)(c), 435(A)(Subsection heading) and (1) and (B), 463(A)(2)(c)(i) and (ii), 467(3), 534(B), 536(A)(introductory paragraph) and (3), 551(C)(1), 1280.22(B)(1), and 1306(E)(2) are hereby amended and reenacted and R.S. 18:154(H) and (I), 491(C)(3), and 1308(A)(1)(c) are hereby enacted to read as follows:

§154. Records open to inspection; copying; exceptions

A. The records of each registrar are public records and at all times during office hours shall be open to inspection, except the early voting ~~applications~~ confirmation sheets of voters.

\* \* \*

H. Notwithstanding any provision of this Section to the contrary, the Department of State shall not disclose votes that are void because of the death of a candidate pursuant to R.S. 18:469, withdrawal of a candidate pursuant to R.S. 18:502, resignation of a public officer subject to a recall election pursuant to R.S. 18:1300.7, or disqualification of a candidate pursuant to R.S. 18:1410.

I. Notwithstanding any provision of this Section to the contrary, the registrar, the clerk of court, the Department of State, the office of motor vehicles of the Department of Public Safety and Corrections and any entity that contracts with the office, each voter registration agency and any entity that contracts with a voter registration agency, and any person who handles the voter registration application form of another person is prohibited from disclosing the voter registration application and any information contained on the voter registration application of any person who is sixteen or seventeen years of age.

\* \* \*

§178. Notification on jury venire

A. ~~By~~ In each parish that sends out jury duty notices or questionnaires, by the tenth day of each month, the clerk of court shall notify, in writing, the registrar of voters of any returned jury duty notice or questionnaire indicating the person is unable to serve because he no longer resides in the parish. ~~In parishes~~ a parish where

1 the clerk of court is not responsible for handling the jury duty notices or  
2 questionnaires, the responsible entity shall notify, in writing, the registrar of voters  
3 of any such returned jury ~~notices~~ duty notices or questionnaires.

4 B.(1) In each parish that sends out jury duty notices or questionnaires, by the  
5 tenth day of each month, the clerk of court shall notify, in writing, the Department  
6 of State of any returned jury duty notice or questionnaire indicating the person is  
7 unable to serve because he is not a United States citizen. In a parish where the clerk  
8 of court is not responsible for handling jury duty notices or questionnaires, the  
9 responsible entity shall notify, in writing, the Department of State of any such  
10 returned jury duty notices or questionnaires.

11 (2) The Department of State shall send information received pursuant to  
12 Paragraph (1) of this Subsection to the registrar of voters of each parish.

13 C.(1) Upon the expiration of each jury selection panel, each federal district  
14 court in the state shall notify the Department of State of any person identified as out  
15 of the jurisdiction within the time limit of a particular panel for jury selection or as  
16 not being a United States citizen.

17 (2) The Department of State shall send such information received from the  
18 federal district courts to the registrar of voters of each parish.

19 \* \* \*

20 §402. Dates of primary and general elections

21 \* \* \*

22 C. Municipal and ward elections. In all municipalities with a population of  
23 less than three hundred thousand, elections for municipal and ward officers who are  
24 not elected at the same time as the governor or members of congress shall be held  
25 every four years.

26 \* \* \*

27 (2) General elections for municipal and ward officers who are not elected at  
28 the same time as the governor or members of congress shall be held on the fourth  
29 Saturday after the first Saturday in April of an election year unless the primary  
30 election for such officers is held on the first Saturday in March; in such case, the

1 general election shall be held on the fourth Saturday after the first Saturday ~~after the~~  
2 ~~first Tuesday~~ in March of an election year.

3 \* \* \*

4 E. Special elections to fill newly created office or vacancy in office. An  
5 election to fill a newly created office or vacancy in an existing office, except the  
6 office of representative in congress, shall be held on the dates fixed by the  
7 appropriate authority in the proclamation ordering a special election as follows:

8 \* \* \*

9 (2) A special general election shall be held on one of the following days:

10 \* \* \*

11 (c) The fourth Saturday after the first Saturday in April of any year unless  
12 the primary election is held on the first Saturday in March; in such case, the general  
13 election shall be held on the fourth Saturday after the first Saturday ~~after the first~~  
14 ~~Tuesday~~ in March; however, commencing in 1986 and every fourth year thereafter,  
15 this date shall not be applicable in a parish containing a municipality with a  
16 population of three hundred thousand or more.

17 \* \* \*

18 §435. Watchers; appointment and commission

19 A. ~~Right to have watchers:~~ (1)(a) Each candidate is entitled to have one  
20 watcher at every precinct on election day where the office he seeks is voted on in a  
21 primary or general election. The candidate or his authorized representative shall file  
22 one list of watchers on a form provided by the secretary of state or on a form which  
23 contains the same information as required by the form provided by the secretary of  
24 state. When a candidate's list of watchers is filed by the candidate's authorized  
25 representative, a letter of authorization from the candidate shall accompany the list  
26 of watchers; however, in the list of watchers shall be signed by the candidate.

27 (b) In the case of a presidential election, each slate of candidates for  
28 presidential elector is entitled to have one watcher at every precinct. The state  
29 central committee of each recognized political party shall be responsible for filing  
30 the list of watchers for its slate of candidates for presidential elector, and the list of

1 watchers shall be signed by the chairman of the state central committee. The list of  
2 watchers for an independent or other party slate of candidates for presidential elector  
3 shall be signed and filed by any person so authorized by the presidential candidate  
4 supported by the slate of electors. A letter of authorization from the presidential  
5 candidate, or an authorized agent of his campaign, shall accompany the list of  
6 watchers.

7 \* \* \*

8 ~~B.(1)(a) Lists of watchers:~~ A list of watchers shall be filed with the clerk of  
9 court by hand delivery, facsimile, mail, or commercial courier before 4:30 p.m. on  
10 the tenth day before the primary or general election; however, if the tenth day before  
11 the primary or general election falls on a Saturday, Sunday, or other legal holiday,  
12 the list shall be filed on the next day which is not a Saturday, Sunday, or other legal  
13 holiday. For purposes of this Paragraph, "commercial courier" shall have the same  
14 meaning as provided in R.S. 13:3204(D).

15 (b) A list of watchers submitted by a candidate for the primary election may  
16 be used for the general election only if the candidate notifies the clerk of court in  
17 writing by 4:30 p.m. on the tenth day before the general election that he wants to use  
18 the same list of watchers.

19 (2) Except for a candidate or recognized political party filing for a slate of  
20 candidates for presidential elector, any person filing a list of watchers must attach  
21 a certified statement that the report required by R.S. 18:1486 has been filed with the  
22 supervisory committee in compliance with the Campaign Finance Disclosure Act.  
23 ~~If any candidate submits a list for the primary election and does not submit a list for~~  
24 ~~the general election, the list submitted in the primary election shall be treated as his~~  
25 ~~list submitted for the general election.~~

26 (3) A list of watchers shall contain only one watcher and one alternate  
27 watcher for each precinct where the candidate or person submitting the list is entitled  
28 to have a watcher. The list shall be typed or legibly written, and it shall contain the

name and mailing address of each watcher and alternate watcher, and a designation of the precinct where he is to serve.

\* \* \*

§463. Notice of candidacy; campaign finance disclosure; political advertising; penalties

A.

\* \* \*

(2)

\* \* \*

(c) For the purposes of this Paragraph:

(i) "Outstanding fine, fee, or penalty pursuant to the Campaign Finance Disclosure Act" shall mean a fine, fee, or penalty equal to an amount of two hundred fifty dollars or more assessed by order of the Supervisory Committee on Campaign Finance Disclosure or its staff or by final decision of an adjudicatory panel of the Ethics Adjudicatory Board pursuant to the Campaign Finance Disclosure Act ~~that has been converted into a court order~~ for which all requests for waiver or appeals have been exhausted or a judgment of a district court assessing civil penalties pursuant to the Campaign Finance Disclosure Act ~~and that has become executory pursuant to R.S. 18:1511.4.1 or 1511.5~~ for which all appeals have been exhausted.

(ii) "Outstanding fines, fees, or penalties pursuant to the Code of Governmental Ethics" shall mean a fine, fee, or penalty equal to an amount of two hundred fifty dollars or more imposed by the Board of Ethics or by final decision of an adjudicatory panel of the Ethics Adjudicatory Board pursuant to the Code of Governmental Ethics for which all appeals have been exhausted.

\* \* \*

§467. Opening of qualifying period

The qualifying period for candidates in a primary election shall open:

\* \* \*

(3) For candidates in a primary election for municipal and ward officers who are not elected at the same time as the governor or members of congress in

1 municipalities with a population of less than three hundred thousand and those in any  
2 special primary election to be held at the same time, on the second Wednesday in  
3 February of the year of the election, unless the primary election is held on the ~~third~~  
4 first Saturday ~~after the first Tuesday~~ in March; in such case the qualifying period for  
5 candidates in such primary election shall open on the first Wednesday in December  
6 of the year prior to the election.

7 \* \* \*

8 §491. Standing to object to candidacy

9 \* \* \*

10 C. In addition to the persons with standing to bring an action objecting to  
11 candidacy as provided in Subsections A and B of this Section:

12 \* \* \*

13 (3) The Board of Ethics shall bring or join in an action filed pursuant to R.S.  
14 18:492(4) on the grounds that the person qualified in violation of R.S.  
15 42:1113(A)(1)(b)(i).

16 \* \* \*

17 §534. Change of polling places

18 \* \* \*

19 B.(1) The location of a polling place shall not be changed during the period  
20 commencing on the date the qualifying period opens and ending on the date of the  
21 general election or, in the case of an election date exclusively for bond, tax, or other  
22 propositions or questions, during the period commencing on the forty-sixth day prior  
23 to the election and ending on the day of the election unless the polling place becomes  
24 unavailable due to an emergency caused by an act of God or when privately owned  
25 property being used as a polling place becomes unavailable through no fault of the  
26 governing authority.

27 (2)(a) Notwithstanding the provisions of Subsection A of this Section, if a  
28 polling place becomes unavailable during the period defined in and due to the  
29 reasons provided in Paragraph (1) of this Subsection and there is no regularly  
30 scheduled meeting of the parish governing authority scheduled to take place prior to

1        the election, the parish president may change the location of the polling place. The  
2        parish president shall submit written notice of the change as soon as practicable to  
3        the secretary of state.

4                (b) A change in the location of a polling place made by a parish president  
5        pursuant to Subparagraph (a) of this Paragraph shall not be permanent unless the  
6        governing authority of the parish votes to approve the change.

7                (c) For purposes of this Paragraph, "parish president" means the president  
8        of any parish, mayor-president, mayor of New Orleans, or police jury president.

9                                \*        \*        \*

10        §536. Notice of change of location of polling place

11                A. When a parish governing authority or parish president, in accordance with  
12        the provisions of R.S. 18:534, changes the location of a polling place during the  
13        period commencing on the date the qualifying period opens and ending on the date  
14        of the general election or during the period commencing on the forty-sixth day prior  
15        to an election and ending on the day of the election for an election date exclusively  
16        for bond, tax, or other propositions or questions, the governing authority shall give  
17        adequate notice of the change of the location to each voter registered to vote at that  
18        polling place and to each candidate to be voted on at that polling place, if applicable,  
19        in the following manner:

20                                \*        \*        \*

21                (3) An employee of the parish governing authority shall be stationed at the  
22        former polling place for the purpose of directing potential voters to the new location  
23        of the polling place. The eligibility requirements provided in R.S. 18:1354(C) for  
24        appointment as a deputy parish custodian of voting machines are applicable to the  
25        employee. Such employee shall be required to take the constitutional oath or  
26        affirmation. The clerk of court shall administer the oath.

27                                \*        \*        \*

28        §551. Ballots

29                                \*        \*        \*

C. Names and numbers of candidates. The names of the candidates in a primary or general election shall be listed on the ballot as follows:

(1)(a) In a primary election only the names of candidates who qualified for election and were not subsequently disqualified by a judgment rendered in an action objecting to candidacy shall be listed on the ballot.

(b) The name of each local candidate shall be listed on the ballot as certified to the secretary of state by the clerk of court, and the name of each state candidate shall be listed on the ballot in the form designated by the candidate in his notice of candidacy on file with the secretary of state.

(c)(i) The names of the candidates for each office shall be arranged alphabetically by surname and shall be listed below the title of the office, in smaller capital letters. The names of the candidates shall be numbered from first to last. Once the secretary of state has assigned numbers to the candidates on the primary election ballot, the numbers shall not be changed.

(ii) If the qualifying period reopens because of the death of a candidate, additional candidates who qualify for the primary election shall be given the numbers following the number assigned to the last candidate on the ballot.

(iii) If two or more candidates have the same surname, the names of the candidates having the same surname shall be arranged alphabetically by first name, regardless of whether a candidate's first name appears on the ballot. The word "Incumbent" shall be listed after the name of each candidate having the same surname who is an incumbent, and the residence address shall be listed after the name of each candidate having the same surname who is not an incumbent.

\* \* \*

§1280.22. Candidates; procedure for qualifying

\* \* \*

B.(1) The qualifying period for presidential candidates shall open on the first Wednesday in December and shall close at ~~5-00~~ 4:30 p.m. on the following Friday.

1 During the qualifying period, presidential candidates shall file notices of candidacy  
2 with the secretary of state.

3 \* \* \*

4 §1306. Preparation and distribution of absentee by mail and early voting ballots

5 \* \* \*

6 E.

7 \* \* \*

8 (2)(a) An absentee by mail ballot envelope flap shall also contain a line for  
9 the handwritten signature of one witness: and a line for the printed name of the  
10 witness. The voter ~~may~~ shall sign the certificate in the presence of one witness and  
11 ~~in such a case, the voter shall not be required to obtain the signature of a notary~~  
12 ~~public, but~~ his certificate shall be made under penalty of perjury for providing false  
13 or fraudulent information. Above the perforation and along the seal line, the words  
14 "DO NOT DETACH FLAP" shall be printed.

15 (b) Notwithstanding the provisions of Subparagraph (a) of this Paragraph,  
16 a member of the United States Service or person residing outside of the United States  
17 who is registered to vote shall not be required to sign the certificate in the presence  
18 of one witness ~~or to obtain the signature of a notary public,~~ but his certificate shall  
19 be made under penalty of perjury for providing false or fraudulent information.

20 \* \* \*

21 §1308. Absentee voting by mail

22 A.(1)

23 \* \* \*

24 (c)(i) A voter who is eligible to vote absentee by mail pursuant to R.S.  
25 18:1303(D)(1) and who feels he will not have time to vote timely by mail may  
26 request that the registrar transmit electronically to him a ballot along with a  
27 certificate and waiver of the right to a secret ballot, and the registrar shall do so.  
28 Alternatively, an immediate family member of the voter may pick up the necessary  
29 instructions, certificate, ballot, and envelope at the registrar's office.

(ii) The waiver of the right to a secret ballot shall contain the following statement: "My ballot was transmitted electronically to me, and I am voluntarily waiving my right to a secret ballot." The waiver shall also contain spaces for the voter's handwritten signature, the date, and the last four digits of the voter's social security number.

(iii) If the materials are transmitted electronically to the voter, the voter shall mark the ballot as provided in R.S. 18:1310 and complete the certificate and waiver and return his voted ballot and completed certificate and waiver to the registrar by facsimile or any means authorized by Subsection B of this Section. The registrar and his staff shall take the steps necessary to keep the voted ballot as confidential as practicable.

(iv) If an immediate family member of the voter picks up the voter's materials, the voter shall mark the ballot as provided in R.S. 18:1310 and return his voted ballot and completed certificate to the registrar by facsimile or any means authorized by Subsection B of this Section. If the voter returns the voted ballot and completed certificate by facsimile, he shall also include his completed waiver, and the registrar and his staff shall take the steps necessary to keep the voted ballot as confidential as practicable.

\* \* \*

Section 2. R.S. 18:101(A)(3) and 154(C)(2)(b) are hereby amended and reenacted to read as follows:

§101. Registration to vote; qualifications; more than one residence; presidential elections

A.

\* \* \*

(3) A person who is sixteen years of age may register to vote in the manner provided in R.S. 18:114(B)(1) or by making application in person at the office of the registrar of voters. However, no one under the age of eighteen years shall be permitted to vote in any election.

\* \* \*

§154. Records open to inspection; copying; exceptions

\* \* \*

C.

\* \* \*

(2)

\* \* \*

(b) Notwithstanding the provisions of Paragraph (1) of this Subsection, the Department of State or registrar of voters may transmit the full date of birth and last four digits of the social security number, if available, of a registered voter to the Supervisory Committee on Campaign Finance Disclosure to verify the identity of a candidate for purposes of campaign finance reporting. The supervisory committee shall not disclose ~~the full date of birth of a registered voter~~ information transmitted to it pursuant to this Subparagraph.

\* \* \*

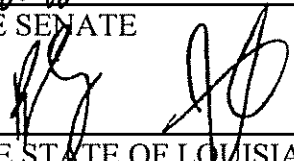
Section 3. R.S. 18:173(A), 402(F)(7), 467(5), and 1306(E)(1)(g) are hereby repealed in their entirety.

Section 4.(A) This Section and Sections 1 and 3 of this Act shall become effective upon signature of this Act by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the governor and subsequently approved by the legislature, this Section and Sections 1 and 3 of this Act shall become effective on the day following such approval.

(B) Section 2 of this Act shall become effective January 15, 2016.

  
\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

  
\_\_\_\_\_  
PRESIDENT OF THE SENATE

  
\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: KE 6-29-15